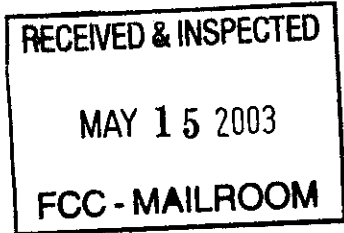


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Before the
Federal Communications Commission
Washington, DC 20554

Submitted May 9, 2003

Re: Petition for Rulemaking
In the matter of

Amendment of 47CFR Part 95,
Regarding GMRS license eligibility.

Greetings

BACKGROUND

The General Mobile Radio Service is a licensed two-way radio service utilized by a diverse group of individuals for communications relating to their activities. Since its inception, GMRS has undergone many changes by the Federal Communications Commission concerning who may use it, types of use, license fee, what frequencies, etc.

Until a few years ago, "businesses" were granted a GMRS license, as were individuals. Then in one of its numerous revisions, the FCC ruled to not accept applications from "businesses" any more. In the process of eliminating this type of user, organizations were categorized as a "business", and also disqualified from obtaining a new GMRS license. Many of these organizations were/are non-profit public service types.

In another ruling, existing non-business and non-organization licensees (individuals) were given use of all GMRS frequencies instead of one or two that all licensees had previously been restricted to. However, pre-existing businesses (including organizations) were still limited to one or two frequencies specified on their "grandfathered" license.

Although designed by name for "General" use, GMRS has lately been considered by FCC to be an individual/personal radio service by eliminating businesses and organizations from current licensing. (This in spite of another FCC decision that family and relatives are now included in a license for an individual). It is clear that with all the changes in GMRS rules made by the Commission, there has been a lot of uncertainty and flexibility over the years concerning the best use of these frequencies.

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THE PRESENT SITUATION

#1. "Individual" users are granted a license for \$75 that actually covers most members of the extended family, and are allowed to operate with the callsign on all GMRS frequencies. Their permitted communications can be personal *and* business/organizational messages although if the latter, each member of the organization (outside the family) must obtain his/her own license at the current cost of \$75.

#2. Grandfathered business licensees, including organizations and their members, can continue to use GMRS for their purposes but are restricted to the one or two frequencies they were originally given years ago. License applications from new businesses or organizations are denied.

THE PROBLEM

Having been categorized by FCC as a "business", all organization applicants are at an unfair disadvantage in the **GENERAL** Mobile Radio Service. Rules and regulations as currently written prevent use of all frequencies by grandfathered business and organization licensees, and deny new license applications by them. This eliminates the distinct advantage of organization members being able to contact and work with the public, other organizations, and certain agencies - a real benefit of GMRS. Use of frequencies other than GMRS for organization purposes is either not easily possible, is limited in public accessibility, is more costly to license, is too short range, and/or inadvisable for other reasons.

FCC should now reconsider their ruling and make the necessary changes in GMRS regulations. The President and many others have asked for citizens to take part in volunteerism and homeland security. Citizens Corps, CERT, REACT, Neighborhood Watch, and other recognized volunteer organizations must have good communications to effectively carry on their activities. There must also be interoperability. This has been a serious need in recent emergency situations throughout the country. GMRS also has a demonstrated unique ability to communicate with FRS radios that are in common use by the public, and can pass information up and down the radio networks to and from them.

Those organizations that are classified 501 C 3 by the Internal Revenue Service as non-profit public service are being denied a single license to cover their members because they are classified as a "business" by FCC. The only way members can get a GMRS license is if each one obtains his/ her own for \$75. This is another expense that a volunteer is asked to pay in addition to possible membership dues, clothing, items of identification, training, radio equipment, etc. Many areas where organizations need most to function are communities where people are already limited in economic resources, and where another expense in volunteering could make the difference in whether or not the person becomes a member.

Existing non-profit organizations are also being denied use of all GMRS frequencies when in fact these should be available in order to make contact with the greatest amount of people and agencies in time of need.

THE SOLUTION

Time after time President Bush has requested community involvement. In order to allow GMRS the potential it has for this public service, we recommend:

1. Allowing local chapters of parent non-profit 501 c 3 organizations involved in safety communications to obtain a GMRS license. Some have even received The President's Volunteer Action Award, and should be recognized for their serious contribution to the country.
2. A 501 c 3 parent non-profit organization founded previous to 9-11-2002 would qualify for its chapters. Proof would be submitted with the license application.
3. All communications under the license would be limited to activities of the organization, and so stipulated on the license.
4. Allow existing grandfathered organizations, upon their request, the use of all GMRS frequencies on their valid license.
5. The quality of personal communications could actually be improved by having organizational use with attendant radio protocols. This could change the increasing trend of unlicensed and illegal use of GMRS.

Submitted May 9, 2003

Background of the petitioners

Paul Amestoy

Executive in location-based data and information for wireless industry.

Responsible for delivering location-based data to Nextel and AT&T FCC E-911 trials.

Presented to Chairman Bill Kennard and FCC on location-based information interface to PSAPS and carriers for E-911 specifications.

GMRS licensee WPVQ575.

Alan Dixon

Industry-recognized senior telecommunications engineer.

Contributing Editor, Popular Communications magazine

General Radiotelephone Operator PG-4-19631

GMDSS/Radar Operator and Maintainer DB-GB-005305

Amateur Radio Extra Class Licensee N3HOE

GMRS licensee WPUC720

Former member – Baltimore County, Maryland Fire Communications Committee

Former member – Baltimore County, Maryland 911 Task Force

Former member – TIA/EIA Standards Committee TR45-AHAG

CORES FRN 0003-3350-56

Robert K. Leef

Radio communications business owner for 31 years

Published writer in several magazines

Amateur license KB6DON

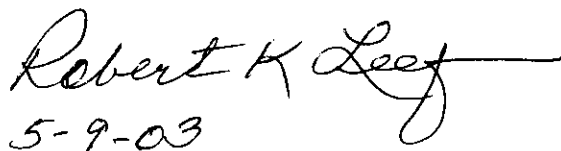
GMRS license KAB5295

Founder of Repeater Users Group

Founder of Radio Communications Monitoring Association

Founder of Crest Communications/Crest REACT, Saddleback Valley REACT.

35 years work with volunteer emergency radio communications organizations.


5-9-03